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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/372,129	08/11/1999	BENOIT BOLSEE	WORLD-TELECO	1090

7590

04/25/2003

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EXAMINER

PHILIP, NOBEL A

ART UNIT

PAPER NUMBER

2697

DATE MAILED: 04/25/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/372,129

Applicant(s)

BOLSEE, BENOIT

Examiner

Nobel Philip

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 4-7 and 9-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4-7, 9-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4-7 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg U.S. Patent No. 6,389,038 in view of Dalton U.S. Patent No. 6,236,653.

- Regarding claims 4, 9, and 10, Goldberg discloses a method and apparatus for sending digitized voice over a data network, comprising: a plurality of terminals for transmitting digitized signals (from PSTN, col. 2 lines 60-65), a plurality of switches for receiving the digitized signals and for acting as a protocol converter/adaptor for the incoming signals from the plurality of terminals (VOIP Gateway, col. 2 lines 62-65); first lines for connecting the plurality of terminals to at least one of the plurality of switches (PSTN lines, col. 2 lines 60-65); wherein each of the plurality of switches further comprises a combining/switching module within the switch for combining the formatted digitized voice packets into long frames (MUX which can be integrated into VOIP Gateway, col. 3 lines 48-50, col. 7 lines 33-35); a data network for receiving the long frames from the plurality of switches (WAN, col. 2 lines 63-65); a second line for connecting the plurality of switches to the data network (Link from MUX to WAN, see figure 4 and col. 2 lines 3-8); and a central switch for receiving the longer frames from the data network and for disassembling, switching and

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reassembling the longer frames and for returning the reassembled frames to the data network (the multiplexers can be setup in pairs, one on the local side and one on the remote side, col. 4 lines 37-44). It is the examiner's position that the second multiplexer can be interpreted as the central node since it can assemble and disassemble (package and depackage) the packets. Goldberg does not explicitly disclose whether the received voice signals are compressed or uncompressed. Dalton teaches compression schemes that effectively decrease data rates needed to support audio transmission (col. 1 lines 39-45). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have added standard compression to the communication system disclosed by Goldberg if the signals received were uncompressed. One of ordinary skill in the art would have been motivated to do this in order to conserve bandwidth.

- Regarding claim 5, Goldberg discloses the first lines are PSTN (col. 2 lines 60-65).
- Regarding claim 6, Goldberg discloses that the second lines are IP links (Link from MUX to WAN, see figure 4 and col. 2 lines 3-8).
- Regarding claim 7, Goldberg discloses that the data network can be the Internet, LAN, or satellite/wireless network (col. 2 lines 65-67).

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg et al. (U.S. Patent No. 6,389,038) in view of Dalton et al. (U.S. Patent No. 6,236,653) as applied to claims 4-7 and 9-10 above, and further in view of Chuah et al. (U.S. Patent No. 6,408,001).

As noted above, Goldberg discloses a method and system in which voice signals are packetized, combined and sent across a network, while Dalton teaches standard compression for

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voice signals that may be used in the system disclosed by Goldberg. Neither reference explicitly suggests adding a 4-byte header to the voice packets before combining them. Chuah et al. discloses a method of packet transport efficiency by appending a unique 3-byte header to each voice packet that identifies the voice connection (col. 7 lines 51-55). It is the examiner's position that a 3-byte header would perform the same functionality of the 4-byte header. It would have been obvious to one of ordinary skill in the art at the time the invention was made to append a 4-byte header to the voice packets in the communication system disclosed by Goldberg and Dalton. One of ordinary skill in the art would have been motivated to do this in order to reduce the overhead by the header information.

#### *Response to Amendment*

4. The previously indicated allowability of claims 4-7 and 9-11 is withdrawn since the references can be read upon all the limitations in the claims which was not detected in the previous office action.

#### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Von Hammerstein et al. (U.S. Patent No. 6,278,708) discloses a frame-relay access device with user-configurable virtual circuit bundling.

b) Carew et al. (U.S. Patent No. 6,512,764) discloses a method and apparatus for providing voice signals to and from a telecommunications switch.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nobel Philip whose telephone number is 703-305-8395. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 703-305-4798. The fax phone number for the organization where this application or proceeding is assigned is 703-305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

7. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, DC 20231

**or faxed to:**


(703) 305-3988, (for formal communications intended for entry)

**Or:**

(703) 305-3988, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2021 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Nobel Philip  
April 15, 2003

  
RICKY NGO  
PRIMARY EXAMINER